

HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STUART REGES,

*Plaintiff,*

v.

ANA MARI CAUCE, et al.,

*Defendants.*

CASE NO. 2:22-cv-00964-JHC

NOTE ON MOTION CALENDAR:  
April 14, 2023

**STIPULATED MOTION TO AMEND SCHEDULING ORDER**

1. As permitted by Fed. R. Civ. P. 16(b)(4) and LCR 10(g) and the Court's Minute Order Setting Trial Date and Related Dates ("Scheduling Order," ECF No. 32), the parties jointly move the Court to amend the Scheduling Order. The Court may, by order and for good cause, amend a scheduling order. Fed. R. Civ. P. 16(b)(4). "Rule 16(b)'s 'good cause' standard primarily considers the diligence of the party seeking the amendment." *Rain Gutter Pros, LLC v. MGP Mfg., LLC*, No. C14-0458 RSM, 2015 WL 6030678, at \*1 (W.D. Wa. Oct. 15, 2015) (citing *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)).

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(2:22-cv-00964)

FOUNDATION FOR INDIVIDUAL RIGHTS AND EXPRESSION  
700 Pennsylvania Avenue SE, Suite 340  
Washington, DC 20003  
Tel: (215) 717-3473

2. Good cause exists for amending the Scheduling Order because (1) a brief extension of 60 days will permit the parties to schedule depositions near or after the close of the academic year, which will accommodate the significant employment obligations of the parties, all of whom are public university employees with administrative or teaching responsibilities during the academic year, and whose availability will improve when classes are no longer in session; and (2) the parties await the Court's determination on the currently pending motion to dismiss, which will provide the Court's views regarding the viability of Plaintiff's claims as a matter of law, and determine the scope and necessity of discovery.

3. The parties have diligently conducted discovery in this matter, and continue to do so.

4. Having shown good cause, and given the parties' diligence in requesting an amendment three weeks prior to the first deadline, the parties request that the Court grant their Stipulated Motion to Amend the Order Setting Trial and Related Dates, extending the deadlines in the Scheduling Order (ECF No. 32) to those proposed in ¶ 5.

5. The parties move for the following amendments to the scheduling order:

- Jury Trial Date January 8, 2024<sup>1</sup>
- Deadline for amended pleading July 3, 2023

<sup>1</sup> Because 60 days from the current trial date is December 29, 2023—a date that falls between the federal holidays of Christmas Day and New Year's Day—the parties ask for a 70-day extension of the trial date deadline.

- Disclosure of expert testimony under Fed. Rule Civ. P. 26(a)(2) July 3, 2023
- All motions related to discovery must be filed by (LCR 7(d)) August 1, 2023
- Discovery completed by September 1, 2023
- All dispositive motions and motions challenging expert witness testimony must be filed by (LCR 7(d)) October 2, 2023
- Settlement conference held no later than October 30, 2023
- All motions in limine must be filed by November 17, 2023
- Agreed pretrial order due December 10, 2023
- Deposition Designations must be submitted to the Court (not filed on CM/ECF by (LCR 32(e)) December 12, 2023
- Pretrial conference to be held at 1:30 pm on December 15, 2023
- Trial briefs, proposed voir dire, jury instructions by December 22, 2023

DATED: April 14, 2023

Respectfully submitted,

/s/Gabriel Walters

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